## Appendix 1 Application 09/376381

Appendix 1
Application 09/376381
St po

St po Step Analysis of Examin r's Points

	TENT &		
Items cited Page 2	Examiner's Rebuttal	Applicant's Comments	New Claims Response
Carrier cargo	Col 4, line 53-60	No mentioned of any cargo	
system	`	system	
Agent/Users	Col 4, line 53-60	Yes mentions agent terminal	Our system is for
terminal			registered agents and
· · · · · · · · · · · · · · · · · · ·			service providers.
Option price	Abstract	Yes but for an airline ticket	
Freight service	Abstract	Yes but for an airline ticket. It is	
option		also very clear that Walker's	1
		recognize this (Col 3, lines 1-3)	
Exchange	Col 1, lines 40-67,	Talks about financial options in	
environment	col 2, lines 1-9	the stock market. Exchange	1
•		Environment as explained by	
		Walker is merely to detail the	
	ł.	history of options and its usage.	İ
	-	It does not seek to teach its	l
		workings. Firstly cargo option	
		has never been traded in any	
	1	exchange environment because	
		it has not been invented until	}
		now. Secondly financial options	
		may be netted off by cash, the	
		same cannot be said with cargo	į
		options as goods need to be	
		delivered. The fact that to date	
		no cargo option has even been	į
		mooted underscores the	
	•	unobviousness of such an	
		invention to one familiar with	
		the art.	
Electronically	Col 4, lines 1-15	Basically a reservation system	
visible		for airlines, there is no similar	
		reservation system for cargo.	{
		This is partly due to lack of	
		legal requirements to share	
		pricing information between	
	en 1 m 11	cargo service providers.	
Pre-assigned user	Col 7, lines 40-43	No connection as walker teach	
accounts		about revising the option price	
		by user while my application	
,		defines each user with their own	
Cantal as at 1	G-14 1' 27 24 52	accounts.	
Central controller	Col 4, lines 27-34, 59	Yes but any system needs a	
!		central processor to do some	
CDIL	0.14 1: 10.00	calculation	
CPU and a memory	Col 4, lines 19-20	Yes, standard to all computers	
Connected to CPU	Col 4 lines 16-67	Yes, common to all computers	
User terminal	Col 4, line 53-60	Yes, it's a network design	Includes browser
			software to access the
			host computer/gateway
T	0-14 11 07 04 55		on the internet.
Transmitting to	Col 4, lines 27-34, 59	Yes terminals are linked to said	
said controller	"	controller. Our system is a	
		network though which means	
		any other system can be linked	

ľ

		to our central controller.	
		Walker's is more like a	
	İ	standalone with modem ports to	Į.
		dial up to which uses different	
		protocols of communications as	
	1	in the application. But this is not	
	1	Walker's fault as in his days, the	
		internet is not as popular.	
Date of departure,	Abstract, Col 5, lines	Basically the components are	Noteworthy is that each
flexibility, type of	41-64, Col 6, lines	identical in form but for the	cargo system must
cargo and route	40-67, Col 7, lines 1-	underlying objects, for example	determine their own
criteria	26	type of cargo, final price etc are	responses if any to a
		not in Walker's as it is not	cargo option request. No
	1	related to cargo. Secondly there	such option in Walker.
		are other data from cargo system	Components are not
	į	responding to the first set of	limited to the date of
		data by user and together all	departure of cargo, final
		these data which eventually go	price payable,
		into the option formula. In	destination of cargo,
		Walker's only data from option	arrival date of cargo,
		database and customer information where customer	flexibility of arrival
			date, type of cargo and route criteria.
		information relies on departure criteria, destination criteria and	route chiena.
		travel criteria are extracted.	
Items cited page 3		Haver Cineria are extracted.	
Cargo system	Col 4, line 53-60	Talks about connecting to	
	,	terminals and not to a cargo	
		system. No relevance.	
Flight passengers	Col 4 lines 1-15	Correct was mentioned as a tool	Removed reference as
reservation system		to decide on cargo loading. But	not critical for pure
		this is or passenger's plane	cargo service providers
		where cargo and passengers	
		spaces are considered. For pure	
		cargo transporter this is not	1
		necessary.	
Central controller	Col 4, lines 27-34, 59	Standard to computer	
Demand rate,	Col 7, line 22	Yes but Walker uses historical	It should be understood
Standard Deviation		while we get LIVE data from	that our cargo system
		cargo system which means data	may have reservation
		has to be calculated rather than	functions (ie a customer
		provided as in Walker from	may book without
		option database (Col 6, 15-17).	knowing the price) and
			sell cargo option hence its prices source from
			underlying physical market must be LIVE,
			hence a market
			environment is required.
Freight Option	Abstract	Yes but refers to Airline ticket	
Components	Abstract, Col 6 lines	There is no doubt, information	In Titanium Metals
related to cargo	40-67, Col 7 lines 1-	is required in both cases but the	Corp. v. Banner, 227
system	26, Col 7, lines 55,	variable components provided	USPQ 773 (Fed. Cir.
	Col 8, lines 7-8	are different as the formula	1985), the court went on
		induces different components	to say that it was

		and serve different purpose. This is to say even though it is only a simple formula, the components are not interchangeable.	immaterial what properties the alloys had or who discovered the properties because the composition is the same and thus must necessarily exhibit the properties. It is clear that the formula composition between Walker's and my application is different.
Said memory	Col 4, lines 19-20	Yes which is standard to	
A program	Col 4, lines 20-22, Col 5, lines 29-31, Col 6, lines 9-11	Yes, an option calculation program is required to run instructions in a computer. Useful to note that a program is merely electronic steps to do something. Hence it is important to evaluate the different steps employed. In Walker's it merely collects the info from user, user database and from option database and run a simple multiplication against the factors representing the requirements. In my application, the program waits for input from cargo systems before running the multiplication and in the case of base price, cargo system calculates this factor on based on the final price payable by client and weighted cost of capital before forwarding this result to host computer. This means for example, our client is able to name the final price payable while Walker's fixes the base by assigning a fraction corresponding to the final value of the ticket where the fraction decreases when the ticket price approaches the full fare price.	It is clear that if we are to follow Walker's teaching, we will not be able to get our option pricing correct. The program recited here interprets data from cargo system and from user and transform these data bytes to an electronic contract with a monetary value and offer it to the requester for the optional purchase of cargo space at a fix price in the future. The main advantage besides able to price a cargo option as versus an option to purchase an airline ticket is that the client can fix the final price payable. Walker's need to fix the final ticket price first in order to calculate the base price.
For calculating	Abstract, Col 6 lines 13,28	Same as above	•
Option Price	Abstract, Col 6 lines 13,28	Yes but option for cargo space not airline ticket	
Freight facility option	Col 7, lines 4-5	Again the option is not for an airline ticket	
Freight option price	Abstract	Error here, the exact wording from my Claims is Freight price not freight option price as written in Examiner's response. There is a difference between	

		the two.	
Satisfied the	Abstract, Col 5, lines	Yes but Walker has only 3	The date of departure of
customer/buyer	41-64, Col 6, lines	components whereas in my	cargo, final price
requirements	40-67, Col 7 lines 1-	claims, it covers more	payable, destination of
_	26	requirements. The crucial	cargo, arrival date of
		difference not mentioned in	cargo, flexibility of
	}	Walker's is that in my claims,	arrival date, type of
	}	cargo system first must check if	cargo and route criteria.
		these requirements are suitable.	Components are
		So for example if there is no	different, treatment of
		available transporter with space	components are
		able to arrive on the date, the	different and no
	1	cargo system will not respond	obligation to response.
		for the particular data, or if the	
		final price is not 'acceptable' the	
		cargo system may not respond.	
	į	Walker's patent is silent in this	
		and it is presumed that	
		irregardless the central	
		controller will always response	
Factors/criteria	Abstract Cal 2 lines	with a price of some sort.  Walker's is limited to Departure	The date of departure of
ractors/criteria	Abstract, Col 3, lines 35-37, Col 5, lines	criteria, destination criteria and	cargo, final price
	41-67, Col 6, lines	travel criteria.	payable, destination of
	40-67, Col 7, lines 1-	traver criteria.	cargo, arrival date of
	26, 54-56		cargo, flexibility of
	20, 34-30		arrival date, type of
			cargo and route criteria.
Agent terminal	Col 4 line 53-60	Yes	·
Respective	Col 4, lines 1-15	Yes however in Walker's specs	
reservation system		it is a centralized passenger	
		reservation systems. In my	
		claim, it refers to individual	
		cargo reservation cargo system.	
		There is no centralized cargo	
T. C: 1D 4		reservation system.	
Items Cited Page 4 Updated from time	Col 7 line 62-65	Examiner pointed to a customer	
to time	Coi / line 62-63	database in Walker's being	
to time		updated. In my claims, I was	
		referring to option prices being	
		updated whenever the	
		criteria/inputs change and hence	
	1	option prices are updated. le	
		when customer make changes to	
		data, option price is updated.	
Options and terms	Col 7, lines 52-61,	Yes both Walker and my claims	
•	Col 8, lines 15	have a database which must	
		update data representing options	
		terms.	
Para 2 Page 4	Without password	My claims point to registered	
	protection and a login	users having a password and	
	sequence, the	login sequence to enter the	
	database could not be	system (not database) to check	
	updatedtherefore	their option positions and to buy	I

	T	1	
	because the database	and sell options within the limits	
	in Walker is	of their authority. They do not	
	updateable, it	have administrative access to	
	naturally must have	the database but only user	
	password and login	access and this distinction is	*
	sequence.	important. Furthermore updates	
		are done by central controller	
		upon request by user's input	·
		such as purchase of option etc.	
		The examiner is concern about	
		login and password for the	
Į.		database which is inherent in	
		any database. This is however	
Ì		not the same as given users their	
		own login and passwords within	
		their own accounts in the	
		database. Text based database	
		have no password because it is	
		basically a text file which is	
		used as a database having	
		formats like .tab or .csv etc	
		They are however updateable.	
Program	Col 4, lines 20-22	See above	
Memory	Col 4, lines 19-20	See above	
Client request	Col 5, lines 39-41	Here Walker's patent only	
		mention the client selects the	
	1	flight information and sent it to	
		the central controller, it can't do	
		the other things like search, sell	
		offer to buy etc	
User terminal	Col 4, line 53-60, Col	Yes	
	7, Lines 27-30		
Offer to buy	Col 7, lines 28-30	Not exactly, since offer to buy	
		means, the client is not happy	
	1	with the price given by the	
		central controller and offer	
	1	another price ie offer to buy (or	
		counter-offer). In Walker's the	
		client has no choice but to either	
	1	accept the price (ie buy not	
		counter offer) or not buy or vary	
0 1: 0 1	0.15.1: 05.05	the inputs.	
Credit Card	Col 7, lines 27-35,	Yes	Will change this to bank
Transaction	Col 8 Lines 10-15		accounts as the amount
			for Cargo spaces options
			are usually beyond
			credit cards. Will
			include some kind of
			payment arrangement
			where money are debit
			and credit between
			sellers and buyers.
Buy the option	Col 7, 28-30	Yes this is a buy situation but	
op		see above. Also notice that the	
		program is buying on behalf of	
	L	program is out ing on behan of	

		the client which means the	
		central processor is the arranger	
		in this case while Walker's	1
1		central processor is the seller ie	
		the airline 's computer which is	
		my equivalent of cargo system	
		(seller). In short, Walker patent	
		talk about a one to one while in	1
		my claims, we have many	
		sellers to one buyer at anyone	
		time requesting for a price.	
Customer request	Col 7, lines 28-30		
Customer request	Coi 7, illes 28-30	Citation by examiner has	1
		nothing to do with wanting to	
		exercise the option.	
Items Cited Page 5		•	
Para 3, line 2, the			This is an analization
word air should not			This is an application
be there	İ		for not only air cargo
	<del> </del>		but also rail etc.
Items Cited Page 6			
Para 1, line 4		The examiner has incorrectly	
I, IIII T		The examiner has incorrectly included the word "entire" in	
	}	included the word "option" in	
		freight option price. My original	
	į	claims should read as "standard	
		deviation of the freight price "	
Para 2, line 4		As above	
Para 3 line 3		Spelling mistake "We" by	
		examiner when it should be	
7. 61. 15		"the"	
Items Cited Page 7			
factor	Abstract, Col 3 lines	No connection with abstract and	Some factors link to
	35-37, Col 5, lines	Col 5, lines 41-67 talks about	cargo are used. This is
	41-67, Col 6, lines	criteria not factors, Col 7, lines	unavoidable as these
	40-67, Col 7, lines 1-	1-26 describe how option prices	determinants were
	26, 54-56)	are calculated and output to user	calculated based on
		either as a single or multi prices	empirical data. However
		for different sectors which are	the New Claims include
i		not linked to factors.	real values in the
•			formula which
		I agree with Col 3 lines 35-37	distinguish from Walker
		and Col 7 lines 54-56 which	as Walker uses factors
		mentioned factors but as	exclusively.
		mentioned before these factors	
-		are different from Walkers by	
		properties and dimensions.	
Items Cited Page 8			
Para 1, line 8			The word "nt"
- with 1, 11116 0			The word "plane" should not be there.
Calculating	Abstract, Col 6 lines	Yes	J. J. J. J. J. J. J. J. J. J. J. J. J. J
	13, 28		
Para 3, line 5		Again examiner's error in	

Items Cited Page		1	
T. C. 13			
		unrelated to using the option to pay for the freight cargo service.	
		may select etc which is	
		showing multiple option prices based on a route that the user	
		the reference refers to a way of	
service		line from bottom. Furthermore	
the freight cargo		and option in the second last	
option to pay for	0010, 17-23	the word "to" in-between said	
Steps of using said	Col 6, 17-25	a period of time.  The examiner type incorrectly	*
		option must be exercised within	
		period. This is to say that the	
		ie to pay for within a particular	
		property of the option contract	
		in my claims, it highlights the	
		methods of making payment for the purchase of an option while	
Particular period	Col 7, lines 27-35	The cited lines deal with	
		quote the wrong line.	
		is aiming at here. Seems to me	
opiion prior		am not sure what the examiner	
Cargo freight option price	Col 7, line 26	Shows either the formula or blank in Walker's patent, so I	
Carna fraight	Cal 7 Emc Of	Character of C	
12			
Items Cited Page			
pages			
been cited in other			
Similar items have			
11			
Items Cited Page			
pages		<del> </del>	
been cited in other			
Similar items have			
Items Cited Page 10			
		deals completed by users.	
Updating	Col 7, lines 62-65	Yes, as it refers to updating	
Para 2, line 3		Including the word option again when it should be freight price	
Don 2 line 2		<u> </u>	
Items Cited Page 9			
		deviation calculation	
		is being used for standard	
	i	including option price when it should be freight price only that	

Name of user and route criteria  Col 5, lines 43-44  The reference cited departure criteria and travel criteria.  It mem Cited Page  14  Updating  Col 7, lines 30-35, Col 7, lines 30-35 is agreeable since it criteria to billing customer's credit card, however in my application there is a difference between claims is accounts payable being updated into the database. In credit card travel criteria	route criteria  criteria, destinat travel criteria an explain the factor criteria. My clair that the step to eflight route inclusion formation et a said information criteria in Walke examiner's refersulation.  Items Cited Page 14  Updating  Col 7, lines 62-65  Yes this is refere customer's datalt exists in both.  Claims Col 8, Lines 10- 15,27-30  Col 7, lines 30-35, customer's credit in my application difference betwee accounts payable into the database transaction, noth settled immediat credit facility, he at anytime before actually a credit hence a claim in short, my application down the country. This book entries ie down credit one which outside the system book entries ie down credit one which outside the system book entries ie down credit one which outside the system book entries in the proposed in	ion criteria and d went on to ors behind the m simply states inquiry cargo ides providing and none of the is under the er's as cited by ence.
Updating  Col 7, lines 62-65  Col 8, Lines 10-15,27-30  Col 8, Lines 10-15,27-30  Col 9, lines 30-35, col 8, Lines 10-15,27-30  Col 9, lines 30-35 is agreeable since it refers to billing customer's credit card, however in my application there is a difference between claims ie accounts payable being updated into the database. In credit card transaction, nothing is actually settled immediately since it is a credit facility, hence a payment at anytime before settlement is actually a credit from the bank hence a claim in our records. In short, my application allows for book entries ie debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user transaction. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising	Updating  Col 7, lines 62-65  Claims immediately  Col 8, Lines 10- 15,27-30  Col 8, Lines 10- 15,27-30  Col 8, Lines 10- 15,27-30  Col 8, Lines 10- 15,27-30  Col 8, Lines 10- 15,27-30  Col 8, Lines 10- 15,27-30  Col 7, lines 30-3 Since it refers to customer's credit in my application difference between accounts payable into the database transaction, noth settled immediat credit facility, he at anytime before actually a credit hence a claim in short, my application book entries ie decredit one which outside the system book entry. This to user while Wa between the provious colors.	ease, which
Claims immediately  Col 7, lines 30-35, Col 8, Lines 10- 15,27-30  Col 7, lines 30-35 is agreeable since it refers to billing customer's credit card, however in my application there is a difference between claims ie accounts payable being updated into the database. In credit card tusniness since the accounts payable being updated into the database. In credit card tusning to banks to acredit facility, hence a payment at anytime before settlement is actually a credit from the bank hence a claim in our records. In short, my application allows for book entries ie debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user transaction. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising	Claims Col 7, lines 30-35, immediately Col 8, Lines 10- 15,27-30 Col 7, lines 30-35, customer's credit in my application difference between accounts payable into the database transaction, noth settled immediat credit facility, he at anytime before actually a credit hence a claim in short, my application book entries ie decredit one which outside the system book entry. This to user while Wabetween the prove Col 8, line 10-15	ease, which
Col 7, lines 30-35, Col 8, Lines 10- 15,27-30  Col 7, lines 30-35 is agreeable since it refers to billing customer's credit card, however in my application there is a difference between claims ie accounts payable being updated into the database. In credit card transaction, nothing is actually settled immediately since it is a credit facility, hence a payment at anytime before settlement is actually a credit from the bank hence a claim in our records. In short, my application allows for book entries ie debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user transaction. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising	Claims immediately  Col 7, lines 30-35, Col 8, Lines 10- 15,27-30  Col 7, lines 30-35, since it refers to customer's credi in my application difference betwe accounts payable into the database transaction, noth settled immediat credit facility, he at anytime before actually a credit hence a claim in short, my applicate book entries ie de credit one which outside the syster book entry. This to user while Wa between the prov Col 8, line 10-15	·
j 1	said reference where no relevance for user to user to user to 8, lines 27-30 reference airline not able to until the option is I am not sure how to my claim for un option sale and phave yet to mentil	billing t card, however the there is a en claims ie to being updated The first is a en claims ie to being updated The first is a en claims ie to being updated The first is a ence a payment the settlement is from the bank our records. In the first is a the settlement is from the bank our records. In the first is really elight is